

MINUTES OF THE COMMITTEE ON LABOR

November 6, 2007

9:00 a.m.

307 House Office Building

The Chair called the meeting to order.

Present were: Reps. Miller, Meadows, Constan, Farrah, Hopgood, Lindberg, Wenke, LaJoy, Steil, Rick Jones,

Absent and excused was Rep. Bieda.

Rep. Wenke moved to excuse the member that was absent. The motion prevailed.

Rep. Constan moved to approve the minutes of the meeting held October 23, 2007. The motion prevailed.

Chair Miller laid before the Committee HB 4532 - Gonzales - Labor; fair employment practices; termination of employee on basis of legal conduct occurring during nonworking hours; prohibit.

Chair Miller recognized Howard Weyers from Meritain Health/Weyco who testified in opposition to HB 4532.

Discussion and questions followed.

Chair Miller recognized John Rappleye from Michigan Seat Company who testified in opposition to HB 4532.

Discussion and questions followed.

Chair Miller recognized Jeremy Gruber from the National Workrights Institute who testified in support of HB 4532.

Discussion and questions followed.

The following people filled out a testimony card in support of HB 4532 but did not want to testify.

Shelli Weisberg from the American Civil Liberties Union of Michigan.
Ellen Hoekstra representing IUOE, Local 547

The following person filled out a testimony card in opposition to HB 4532 but did not want to testify.

Wendy Block from the Michigan Chamber of Commerce

Rep. Rick Jones moved to amend HB 4532 as follows:

1. Amend page 2, following line 23, by inserting:
"(e) An additional charge or co-pay for health care required because the employee or a dependent of the employee who is covered by the employer's health program smokes."

The motion prevailed, the vote being 9-0-2.

FAVORABLE ROLL CALL:

Yeas: Reps. Miller, Meadows, Constan, Farrah, Hopgood, Lindberg, Wenke, Steil, Rick Jones,

Nays: None.

Rep. Steil moved to amend HB 4532 as follows:

1. Amend page 2, following line 23, by inserting:
"(e) Consideration of an employee's smoking habits in the process of making the original decision to hire or recruit."

The motion did not prevail, the vote being 2-6-3.

UNFAVORABLE ROLL CALL:

Yeas: Reps. Wenke, Steil,

Nays: Reps. Miller, Meadows, Constan, Farrah, Hopgood, Lindberg,

Pass: Rep. Rick Jones.

Rep. Wenke moved to amend HB 4532 as follows:

1. Amend page 2, following line 23, by inserting:
"(e) An additional charge or co-pay required because the employee or a dependent of the employee who is covered by the employer's health plan has a body mass index that exceeds 30."

The motion did not prevail, the vote being 4-5-2.

UNFAVORABLE ROLL CALL:

Yeas: Reps. Constan, Wenke, Steil, Rick Jones,

Nays: Reps. Miller, Meadows, Farrah, Hopgood, Lindberg.

Rep. Farrah moved to report out HB 4532, substitute H-1 with the recommendation that it pass. The motion prevailed, the vote being 7-1-3.

FAVORABLE ROLL CALL:

Yeas: Reps. Miller, Meadows, Farrah, Hopgood, Lindberg, Steil, Rick Jones,

Nays: Rep. Wenke,

Pass: Rep. Constan.

Chair Miller laid before the Committee HB 4887 - Miller - Labor; fair employment practices; use of credit history in the hiring process; prohibit.

Chair Miller stated that HB 4887 was before the Committee on Labor on June 19, 2007 and the substitute H-1 was adopted.

The following people filled out testimony cards in support of HB 4887 but did not want to testify.

Shelli Weisberg of the American Civil Liberties Union of Michigan
Ellen Hoekstra representing IUOE Local 547

The following person filled out a testimony card in support of HB 4887 with an amendment but did not want to testify.

Joelle Demand from the Michigan Bankers Association

The following people filled out testimony cards in opposition to HB 4887 but did not want to testify.

Dyck Van Kovering from the Insurance Institute of Michigan
Wendy Block from the Michigan Chamber of Commerce

Rep. Farrah moved to report out HB 4887, substitute H-1 with the recommendation that it pass. The motion prevailed, the vote being 6-3-2.

FAVORABLE ROLL CALL:

Yeas: Reps. Miller, Meadows, Constan, Farrah, Hopgood, Lindberg,

Nays: Reps. Wenke, Steil, Rick Jones.

Chair Miller laid before the Committee HB 4926 - Hopgood - Labor; fair employment practices; employment discrimination based on physical attributes of fitness; prohibit.

The following people filled out testimony cards in support of HB 4926 but did not want to testify.

Shelli Weisberg from the American Civil Liberties Union of Michigan
Ellen Hoekstra representing IUOE Local 547

The following person filled out a testimony card in opposition to HB 4926 but did not want to testify.

Wendy Block from the Michigan Chamber of Commerce

Rep. Hopgood moved to report out HB 4926 with the recommendation that it pass. The motion prevailed, the vote being 6-3-2.

FAVORABLE ROLL CALL:

Yeas: Reps. Miller, Meadows, Constan, Farrah, Hopgood, Lindberg,

Nays: Reps. Wenke, Steil, Rick Jones.

Chair Miller laid before the Committee HB 4927 - Kathleen Law - Labor; fair employment practices; prohibitions against employment decisions based on health or illness of an employee's family member; provide for.

The following people filled out a testimony card in support of HB 4927 but did not want to testify.

Shelli Weisberg from the American Civil Liberties Union of Michigan
Ellen Hoekstra representing IUOE Local 547

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The following person filled out a testimony card in opposition to HB 4927 but did not want to testify.

Wendy Block from the Michigan Chamber of Commerce

Rep. Farrah moved to report out HB 4927 with the recommendation that it pass. The motion prevailed, the vote being 6-3-2.

FAVORABLE ROLL CALL:

Yeas: Reps. Miller, Meadows, Constan, Farrah, Hopgood, Lindberg,

Nays: Reps. Wenke, Steil, Rick Jones.

With no further business to come before the Committee Chair Miller adjourned the meeting, the time being 10:45 a.m.

Representative Fred Miller, Chair

Mary Lou Terrien, Clerk